

**DISTRICTING COMMISSION  
WEDNESDAY, FEBRUARY 22, 2012, 5:30 P.M.  
CITY COUNCIL CHAMBERS, 2<sup>ND</sup> FLOOR  
CITY HALL BUILDING, 2 CIVIC CENTER PLAZA**

***Members Present: 8***

*Chair Gene Finke, John Karlsruher, Vice-Chair Francisco X. Dominguez, Gilbert A. Mendez, Jr. (5:52 p.m.), David Thackston, Oscar Silva (5:56 p.m.), James L. Graham (5:46 p.m.), Alisa Jorgensen*

***Members Absent: 1***

*Rodolfo Troncoso*

***Vacancies: 0***

***Planning and Economic Development Staff:***

*David Coronado, Executive Secretary, Lead Planner; Todd Taylor, Planner; Mariano Soto, Planner, GIS; Marissa Monroy, Economic Development Coordinator*

***Others Present:***

*Marie Taylor, Assistant City Attorney, City Attorney's Office*

**1. Meeting Called to Order**

Chair Finke called the meeting to order at 5:45 p.m.

**2. Establish Quorum**

Quorum established.

**3. Discussion and action on:**

**a. Approval of Minutes:**

- i. January 11, 2012 Meeting
- ii. January 25, 2012 Meeting
- iii. February 2, 2012 Meeting
- iv. February 11, 2012 Meeting
- v. February 16, 2012 Meeting

Chair Finke asked Commissioners if they had any additions, corrections and/or revisions.

Ms. Taylor requested Commissioners delete the February 16, 2012 Meeting minutes. There was not a quorum for that meeting.

**MOTION:**

*Motion made by Commissioner Thackston, seconded by Vice-Chair Dominguez **TO APPROVE AS SUBMITTED.***

**01/31/2012 PUBLIC MEETING – FRANKLIN HIGH SCHOOL**

**PAGE 2 OF 3 – PUBLIC COMMENT SPEAKERS 1. Mr. Richard Teschner**

Commissioner Jorgensen requested Staff revise the following sentence :

The northern and southern parts of the Upper Valley **share** ~~have~~ flooding, mosquito/insect, traffic problems ~~commonalities~~ between them.

Vice-Chair Dominguez asked Chair Finke to call the question.

Chair Finke stated it has been moved and seconded that the minutes of (see below) be approved:

- i. January 11, 2012 Meeting
- ii. January 25, 2012 Meeting
- iii. February 2, 2012 Meeting
- iv. February 11, 2012 Meeting
- v. February 16, 2012 Meeting

Ms. Taylor reiterated there was no quorum at the February 16<sup>th</sup> meeting. She asked Commissioners not to approve those as minutes.

Chair Finke responded we will make that addition.

**MOTION:**

*Motion made by Commissioner Thackston, seconded by Vice-Chair Dominguez and **UNANIMOUSLY CARRIED TO APPROVE AS SUBMITTED EXCLUDING THE FEBRUARY 16, 2012 MEETING MINUTES.***

Motion passed. (6-0)

- b. Review of comments received during the public community meetings and written comments submitted to-date

Mr. Coronado gave a PowerPoint presentation and a summary of the public comments collected from the public meetings.

c. Drafting and selection of Districting Plans

Mr. Coronado explained the public meetings generated eight (8) new Public Draft Plans for the Commission to review and consider this evening. He then elaborated on the proposed boundary line and precinct changes for each of the eight (8) maps (PD3-PD10).

Regarding the general, present shape of District 8 with the rather thin line that connects the west side to the east side, Chair Finke asked Ms. Taylor if that was subject to challenge by the DOJ, in her opinion.

Ms. Taylor explained the current District map was pre-cleared by the DOJ. From a distance it looks like the thin line connecting the west side to the east side of District 8, but it is a whole Precinct. She explained one of the nine Principles and Criteria is to keep a core of our existing districts.

**PD-3**

PD-3 and PD-4 maps were created by Ms. Rose Cabrera. Regarding the eastside, Ms. Cabrera wanted to retain the configuration as it exists now. Mr. Coronado elaborated on the boundary line and Precinct changes for Districts 8, 4, 3, 2 and 1. PD-3 deviation is 6.5%

Chair Finke thought District 2 was not contiguous.

For the Chair, Mr. Coronado clarified the boundary line and Precinct changes for District 2.

**PD-4**

PD-4 map created by Ms. Rose Cabrera. Mr. Coronado elaborated on the boundary line and Precinct changes for Districts 2, 3 and 7. Eastside Districts maintain the current north/south configuration, as requested by Ms. Cabrera. PD-4 deviation is 6.5%.

**PD-5**

PD-5 map created by Mr. Teschner. Mr. Teschner spoke at two of the public meetings regarding the boundary line/Precinct shifts between Districts 1 and 8. Specifically Mr. Teschner addressed the UTEP, Kern Place, Rim Road, Mission Hills areas currently in District 1. He requested that they remain in District 1. Mr. Teschner kept the same configuration for Districts 6 and 7 as they currently exist. Mr. Coronado elaborated on the boundary line and Precinct changes for all the Districts. PD-5 deviation is 3.6%

#### **PD-6**

PD-6 and PD-7 maps created by Mr. George Ybarra. Mr. Coronado noted the PD-6 map is similar to the PD-3 map. Mr. Coronado elaborated on the boundary line and Precinct changes for all Districts. Districts 5, 6 and 7 show an east/west configuration, following the I-10. PD-6 deviation is 5.5%

#### **PD-7**

PD-7 map also created by Mr. George Ybarra. Mr. Coronado noted the PD-7 map is similar to the PD-4 map. Mr. Coronado elaborated on the boundary line and Precinct changes for all Districts. Districts 5, 6, and 7 show an east/west configuration. PD-7 deviation is 2.0%

#### **PD-8**

PD-8 map was created by Mr. Osvaldo Veloz. Mr. Veloz attended the very first public meeting held at the Armijo Library. At that meeting, Mr. Veloz stated he envisioned a different layout for District 8, more toward the Central part of the city. Mr. Coronado elaborated on the boundary line and Precinct changes for all Districts. Districts 5, 6, and 7 show an east/west configuration; Districts 6 and 7 boundary line follows the I-10. PD-8 deviation is 2.8%

#### **PD-9**

PD-9 was created by Mr. John Erickson. Mr. Erickson attended one of the public meetings. Mr. Coronado noted the PD-9 map is similar to Mr. Teschner's map regarding Districts 1 and 8 and Districts 6 and 7. Mr. Coronado elaborated on the boundary line and Precinct changes for all Districts. Districts 6 and 7 show an east/west configuration, boundary line follows the I-10. PD-9 deviation is 8.0%

#### **PD-10**

PD-10 was created by Mr. Ray Mancera and Mr. Rojas. Mr. Coronado elaborated on the boundary line and Precinct changes for all Districts. Mr. Coronado highlighted key changes within Districts 1 and 8. PD-10 deviation is 1.1%

#### **IN SUMMARY**

Mr. Coronado reiterated the eight new maps all show a deviation lower than 10%.

Chair Finke commended Staff for their assisting members of the public in creating their maps.

#### **DISCUSSION AMONGST COMMISSIONERS**

Chair Finke asked Commissioners to comment on, state their opinions on the new maps.

Commissioner Thackston asked Mr. Coronado if members of the public who created a map were present to answer any questions the Commissioners may have.

Mr. Coronado responded yes, there are three members of the public in the audience.

Commissioner Thackston did not have any one Plan he favored, one better than any of the previous Plans. He noted that there are aspects of several of the new Plans that bring up some interesting perspectives. Regarding the PD-3 map, Commissioners heard on several occasions how unhappy residents living in South El Paso are regarding being lumped together with the more affluent Westsiders. The PD-3 map shows South El Paso shifted into District 3. He requested Commissioners look at the merits of PD-3 map.

Vice-Chair Dominguez appreciated the work that went into creating these new Plans. Looking at some of the changes the members of the public created has been very educational. He really enjoyed aspects of several maps and noted the questions, discussions and choices will become more difficult.

#### **REDISTRICTING PROCESS: PRINCIPLES AND CRITERIA**

Vice-Chair Dominguez referred to “the core of the existing District” as previously mentioned. Without knowing what the DOJ definition is regarding “the core of the existing District” ...

Ms. Taylor stated the DOJ is not looking at issues like “the core of the existing District” those are considered race neutral Redistricting principles that a governing/organizing body can consider when drawing new boundary lines. The DOJ is looking at issues of retrogression, ensuring minority voters are not worse off by any changes being made. The principles are just criteria to consider when drafting the new Plan.

Vice-Chair Dominguez wondered if changing the eastside Districts from the current north/south configuration to an east/west configuration; that is something that would create a problem for the DOJ.

Ms. Taylor responded correct, just one of the considerations. So as not to confuse the public, it is not mandatory that you keep the same configuration but, ideally, the Districts have some resemblance to the existing.

Regarding item 5. “Adopting districts of equal size.” Vice-Chair Dominguez asked if Districts of equal size refers to population or are Commissioners looking at land mass, area, geography, etc.

Mr. Coronado responded just population.

### DISCUSSION AMONGST COMMISSIONERS

Commissioner Graham commended the members of the public for creating these maps, specifically the low deviation percentage numbers. He explained he is aware of the difficulties creating a map; he experienced the same difficulties when he created his map. Commissioner Graham was surprised that none of the new Plans took that lower link of District 8, or the majority of it, and incorporated that into Districts 2 and 3. He asked Staff if any of the members of the public tried to do that then found out it was not possible.

Chair Finke believed he saw one or two of the new maps showing Districts 1 and 8 with a more north/south configuration, more compact.

Commissioner Graham clarified none of the new Plans took that lower portion of District 8, broke that off into Districts 2 and 3. Commissioner Graham responded per our legal guidance today, sent a message to him that *anything goes* as far as what a District can look like. He explained it is the opinion of a vast number of the members of the public that spoke at the public meetings that the upper and lower portions of District 8 have nothing in common with each other. Additionally, the word “gerrymandered” was used quite often when describing the current shape of District 8. Commissioner Graham restated his previous question, was there any attempt made at taking the lower portion of District 8 and removing it from the upper portion of District 8.

Mr. Coronado would let the members of the public speak for themselves. Overall, one member of the public, Mr. Veloz, wanted to see a total shift with the boundary lines for District 8. Mr. Veloz had some issues with the numbers; therefore, he traded that shift for other changes in the city.

Chair Finke wondered what Commissioner Graham was referring to is the orientation actually achievable considering the population between District 1 and 8 and the integrity of the Precincts that Commissioners need to observe.

Mr. Coronado responded yes, but there are some constraints with District 1 being landlocked by District 8 which limits the choices you can make. Mr. Veloz could not continue with the changes he wanted to make for District 8 due to issues with the numbers.

Vice-Chair Dominguez asked if one of challenges we have is that big land mass that nobody lives in. We can try to reshape that area but because of the density issue, in conjunction with the geography issue, that would be difficult to accomplish. Regarding Mr. Veloz’ PD-8 map, specifically Districts 1 and 8, there is nothing that prevents us from flipping the two Districts, rename the current District 1 to District 8 and vice-versa.

Mr. Coronado agreed, yes, you could make that change.

Commissioner Jorgensen asked Ms. Taylor if the DOJ approved the current Districts, as odd as we may find the shape of District 8, according to their definition, District 8 is not gerrymandered.

Ms. Taylor explained the way the DOJ approves the map is that they interpose no objection to the map that has been approved by the City Council. If they thought there was a problem with it, in terms of voter's rights, we would not have been able to implement it.

Vice-Chair Dominguez clarified when we talk about something being gerrymandered, we are not just talking about its oddly shaped; we are talking about disenfranchising certain voting minorities by shifting them around.

Ms. Taylor clarified the effect of the intent of doing that.

Past Commissioners, Vice-Chair Dominguez explained have stated that choices made 20, 30 years ago were made with the challenges that minority voters were facing then.

Ms. Taylor could not speak for what happened in the past. Gerrymandering, as a term, means that you are shaping something by taking something in or something out. It becomes an issue if there is racial gerrymandering. It is the racial gerrymandering that is of concern with the DOJ.

Commissioner Jorgensen clarified maintaining the integrity of the core of the Districts was not a DOJ directive; it was part of the guidelines from the City Council. She noted:

1. Several of the Plans show District 2 moving southward, becoming the separation between Districts 3 and 8
2. Other Plans show District 2 moving northward.
3. Regarding the eastside Districts, Staff has alluded to two recurring themes, the north/south configuration and, in some Plans, the east/west configurations.
4. Another issue is what to do with Districts 1 and 8, specifically the Kern Place area, which District will that area be in.

Regarding the maintaining the existing core issue, Ms. Taylor read into the record the exact language approved by City Council. *"Although it is recognized that existing Districts will have to be altered to reflect new population distribution, any Districting Plan should, to the extent possible, be based on existing Districts."*

Commissioner Jorgensen explained when discussing socio-economics, she has no data regarding socio-economics. She has people's statements representing them but she has received nothing officially from Staff regarding what the income is by Precinct. Commissioner Jorgensen stated she does not feel adequate to address whether or not a District serves socioeconomically well or better than another District or one

configuration is better than another. In terms of presenting Plans to the City Council, she felt those are the three key issues for Commissioners:

1. What shape do the eastside Districts take?
2. Does District 2 go all the way to the south and separate Districts 8 and 3?
3. What happens on the westside of town?

Commissioner Jorgensen felt Commissioners were complicating our task, she was not sure it was helping Commissioners reach closure towards a view of what Commissioners think are the best maps.

Commissioner Silva asked Vice-Chair Dominguez, Representative for District 2, if the interest of his District – is to be more southbound or staying more north side.

Vice-Chair Dominguez thought drawing the lines in a north/south configuration is more in keeping with the interests of District 2

Commissioner Silva asked something like PD-9 or PD-10?

Vice-Chair Dominguez responded correct.

Commissioner Silva asked Commissioner Graham, Representative for District 7, which option he preferred – having all of District 7 located on the northside of I-10 or having a portion of District 7 north of I-10 and a portion of District 7 south of I-10.

Commissioner Graham responded that was a tough question because two of our Principles and Criteria favor the east/west orientation:

1. Following easily identifiable geographic boundaries; and
5. Drawing compact and contiguous districts

Commissioner Graham explained the east/west orientation addresses those because the I-10 becomes the boundary, the I-10 being the most readily definable geographic boundary we have in the city. Additionally, the east/west configuration accidentally lends itself to future growth. For those reasons, Commissioner Graham believes the east/west configuration is in the best interests for El Paso, long term.

Commissioner Silva asked Commissioner Graham if by *east/west configuration* he meant District 7 being north of I-10 and District 6 being south of I-10.

Commissioner Graham responded it works out that way using I-10 as the easily definable geographic boundary.

Commissioner Silva stated the main interests for District 5 are:

1. Keeping the business area in the intersection of Montwood Drive, Zaragosa Road and Joe Battle Boulevard within District 5 as shown in the PD-5, PD-6, PD-7, PD-8, PD-9 and PD-10 Maps; and



2. From the original Plan, there is a small portion of District 6 that goes north into District 5. Commissioner Silva recommended that small portion be shifted into District 5 because of the growth of that business area and the growth and development of District 5, in general.

Commissioner Thackston clarified the small portion, referred to by Commission Silva, is currently not in District 5.

Commissioner Silva agreed.

Commissioner Karlsruher stated, in continuing the discussion, he would agree with Commissioner Thackston's previous comments on the variety of opportunities that Commissioners have seen from the public maps. Commissioner Karlsruher congratulated all those involved for putting forth the effort and giving Commissioners other options to consider. Regarding Districts 1 and 8, he stated, we are still concerned about retaining the Kern Place, UTEP, Mission Hills, Rim Road areas. That remains a very simple focus in that regard, Plan A, as shown to the public and then the new PD-5, Commissioner Karlsruher's preferred map. Having worked with District 8 Representative, Commissioner Jorgensen, Plan A was the more agreed upon plan and where the boundary lines were drawn. The new PD-5 map tends to shift everything below the I-10 into District 8 with everything above the I-10 into District 1. Commissioner Karlsruher had no objection with that; however, that rubs against some of the issues Commissioners have previously discussed regarding District 8.

Chair Finke also applauded the members of the public in their creative map making. He stated one of the important comments made earlier was that some of the important aspects of the publically developed Plans could be incorporated/integrated into the Plan A, B and C maps. He recognized that it would be a challenge to pick out what those desirable features might be. He asked Commissioners who have expressed those thoughts to meet with Staff and see how these suggestions could be integrated in all or one of the Plans.

Mr. Coronado responded that sounded reasonable with Staff. The next item on the agenda was the *Proposed schedule of the redistricting process and future Districting Commission meetings*. Mr. Coronado asked if Commissioners would like to discuss that now. Staff has some ideas for meeting dates and a possible deadline for submitting Plans to the Commission.

Commissioner Graham would like to address the Chair's comment. It is time Commissioners meet with Staff again and try to integrate these ideas into either the Plan A, B, or C maps. Commissioner Graham personally endeavored to:

1. Take the lower portion of District 8 and try to integrate that somehow into Districts 2 and 3. He believes that would achieve, somewhat, what Ms. Cabrera and Mr. Veloz were trying to accomplish. Keeping in mind the current sitting City Council Representative for District 8 which some maps have not considered. Commissioner

Graham explained the District 8 City Council Representative has quite a bit of term left ahead of her unlike other City Council Representatives discussed in the past.

2. Take a serious look at the Cielo Vista Neighborhood Association boundaries, as it deals with the Plan A map, and if at all possible remedy that situation.

In conclusion, Commissioner Graham would like to take Ms. Cabrera's PD-3 and PD-4 maps and Mr. Veloz' PD-8 map and work that in with the concerns of the Cielo Vista Neighborhood Association and come up with a new map. Perhaps submit that map for Commissioners to consider at the next meeting.

Chair Finke asked if Commissioner Jorgensen, as the Representative for District 8, if she was in substantive agreement with these changes.

Commissioner Jorgensen appreciates Commissioner Graham's willingness to try and advance this forward by offering another map; however, she could not support that. Commissioner Jorgensen felt that it would cut out the core; it would cut out half of District 8. She suggested Commissioners look at the Plan A, B, and C maps, and the subsequent eight maps submitted by members of the public, and glean some of those best ideas. Commissioner Jorgensen asked Commissioner Karlsruher if he would meet with her and Staff to see what could be worked out regarding the boundaries for Districts 1 and 8. Then, with Vice-Chair Dominguez, look at and see what works for District 2. Commissioner Jorgensen explained the same three issues are represented in the initial Plan A, B, and C maps, as well as, the eight maps submitted by the members of the public:

1. Commissioners must address the boundaries for Districts 1 and 8;
2. Does District 2 go north/south;
3. The configuration for Districts on the eastside, are they north/south or east/west

Commissioner Karlsruher would be happy to meet with Commissioner Jorgensen and Staff. He stated that what has become the focal issue right now is what is going on with the central part of District 8 and looking at shifting two or three Precincts out of District 1 to compensate District 8. Changes made to Districts 1 and 8 effects all other Districts, domino effect. He thought the idea, as suggested by Commissioner Jorgensen, was the way to go.

#### **FOR CLARIFICATION**

Commissioner Karlsruher clarified that he misspoke earlier, he was referring to Plan A as the Plan that Commissioners presented to the public that preserved the Rim Road, Mission Hills and Kern area. It might have been the Plan B or the Plan C map.

Regarding the PD-8 map, Commissioner Thackston asked Commissioners Jorgensen and Karlsruher to look at where their current City Council Representatives for District 8 and 1 live. He noticed that the City Council Representative for District 8 would reside in District 1 and the City Council Representative for District 1 would reside in District 8. Commissioner Thackston suggested switching the numbers for those two Districts. He asked Commissioners Jorgensen and Karlsruher their opinion.

In response, Commissioner Jorgensen stated she appreciates fresh and thought provoking ideas; however, she felt that would lose the core and identity of those. The public meetings have certainly underscored how vocal and passionate the residents of Kern Neighborhood Association are. Commissioners can count on the Association to voice their opinions about being shuttled from District 1 to District 8.

Commissioner Karlsruher was happy to see something like this come forward; switching the District numbers addresses some difficult points. He noted that, prior to the public meetings; Commissioners had become a little set in the way we were thinking. Commissioners heard comments from the public, on several occasions, that the residents in South Central El Paso have nothing in common with the residents in District 1. In conclusion, Commissioner Karlsruher stated most people resist thinking differently.

Commissioner Thackston felt the PD-8 map is the most geographic, compact, contiguous map he has seen. He commended the members of the public for coming to the meetings and taking the initiative to create these maps. Commissioner Thackston would like to hear comments from those members of the public, present this evening, who had created a map. He would like to know:

1. Why they created the map the way they did;
2. What the intent was;
3. How it fit the needs of their District

Vice-Chair Dominguez noted one of the issues being discussed is a sitting City Council Representative being moved out. He asked Ms. Taylor if the term limits issue applies to the person or the seat; would there be some kind of impact.

Ms. Taylor explained the impact is if the Representative is sitting, they can complete their term. When the term is over, they no longer live in the District, they are not eligible to be the Representative for that District.

Vice-Chair Dominguez asked if a Representative's term is about to expire and that Representative is shifted to a new District, does that Representative get another two terms in the new District.

Ms. Taylor responded no.

Vice-Chair Dominguez reiterated the term limit applies to the individual.

Ms. Taylor responded correct, how many terms they can serve. For clarification, Ms. Taylor will confer with the City Attorney.

Regarding the PD-8 map, Chair Finke asked Staff if the numbers for Districts 1 and 8 could be exchanged.

Regarding the PD-8 map, Ms. Taylor responded each of the areas cover the same land mass. Ms. Taylor noted that it is the same issue Commissioners have already dealt with in Districts 6 and 7 with the I-10 dividing the two Districts.

Mr. Coronado explained it would be difficult to try and create a new map on the fly, right here. Referring to the Deviation Chart for the PD-8 map, the deviation number was low 2.8%; however, there could be a number of possibilities.

Chair Finke would like Ms. Taylor to address the socioeconomic issue that was raised, as to its - relevance, with respect to what Commissioners are doing.

Ms. Taylor explained, as part of the Principles and Criteria, Commissioners are to look at compactness and contiguousness. It is generally considered that, as part of the functional component of compactness, Commissioners can look at issues such as income disparities, whether or not areas have more homeowners versus renters. We do not have any specifics on that, but we have the census tracts.

Chair Finke commented it strikes him as rather elitist to suggest that a particular District has to be socioeconomically superior to another District. It is his opinion that there was an advantage to having a broader spectrum of socioeconomic achievement in a District.

Commissioner Karlsruher concurred with Chair Finke. Commissioners have heard comments from the public, for example, this is our neighborhood and we have nothing in common with those people. Commissioner Karlsruher agrees with the Chair, a mix of socioeconomic groups throughout the District is better for everybody.

Commissioner Graham referred to the Commissioner's mandate and stated there were seven public meetings, if we look at the minutes, the socioeconomic disparities between the upper and lower portions of District 8 was the number one concern from those who spoke. It is one thing to say that it is good to mix lower income people with higher income people; however, speakers at the Armijo Library and the Franklin High School public meetings remarked *we have nothing in common with them*. Commissioner Graham clarified when the word "gerrymandering" was used at these public meetings the speakers were referring to 'socioeconomic gerrymandering'. He asked Commissioners to be open-minded and remember what the public has stated. Commissioner Graham felt there should be consideration of a map, yet to be drawn, which takes District 8 and amputates the upper portion from the lower portion. That would be a problem solver for Commissioners and he is willing to try.

Vice-Chair Dominguez understood the issue of socioeconomic differences was something beyond “They’re not like me, I don’t like them.” He understood it to mean “my/our interests in my community get overlooked because my interests are not those of those people”. For Vice-Chair Dominguez, he categorized the socioeconomic issues as a community of interest issue. He felt that there are concerns of the public that are not being heard. It is a significant issue Commissioners should be concerned with and be mindful of.

Chair Finke explained, as a former City Council Representative, it is the responsibility of the Representative to represent everyone in the District. To assist those who need the benefit of City government, regardless of the socioeconomic status. It goes back to the basic principle of equal population.

Commissioner Karlsruher responded at the end of the day that is where we are going to end up. Every time we solve one problem, we are going to create a couple more.

Commissioner Graham thought Commissioners could do both or at least make an effort to do both.

Commissioner Mendez agreed and added Commissioners could still look at other opportunities, possibly getting closer to achieving both goals. He remembered several comments from the public similar to ‘they have different interests, we have different interests.’

Mr. Coronado stated Staff would be happy to meet with Commissioners the first of next week, create maps that address comments made tonight, bring those maps to Commissioners for review and comment at the next meeting. In the interest of time for this process, Mr. Coronado suggested Staff start taking comments from Commissioners tonight, in the form of a motion, directing Staff to create a Plan for Commissioners to present at the next meeting.

Chair Finke he did not think Commissioners were at the point to take a vote on any of the Plans. He suggested Commissioners meet with Staff and create a map incorporating the public comments. He cautioned Commissioners to avoid violating the Open Meetings Act.

Commissioner Jorgensen commended Staff for outlining the public comment into themes. She felt that one more theme that was immersing that Commissioners need to resolve is:

- a. Is it better to have three City Representatives, i.e., Ms. Cooper, or the alternative voice
- b. No, I’m disenfranchised if I’m somehow with a different group of people or my cause gets diluted if I’m with another group of people.

Commissioner Jorgensen felt this was one of many issues Commissioners will have to resolve, or send two maps to Council that provides a strong voice with three Representatives and a voice through one.

Commissioner Thackston was going to make the same comment. He stated the public comments he heard were competing, in the sense that some want to stay contiguous, i.e., Cielo Vista Neighborhood Association they don't want a line running down the middle, they want to stay together. Whereas the train of thought along the Alameda Corridor is if three or four Districts cross that area they now have three or four Representatives they can go to. Another recurring theme gleaned from the public comment was questions regarding the population of some of the Districts as far as there are no residents in that area. The thought occurred that yes, I may live in District 4 but my business is located in another District.

As far as for the purposes of this Commission, Chair Finke suggested, that is an interest that needs to be discounted.

No further comments from Commissioners.

- d. Proposed schedule of the redistricting process and future Districting Commission meetings

Copies of the proposed schedule of Districting Commission meeting at City Hall were distributed to Commissioners and the public.

Mr. Coronado explained March 14<sup>th</sup> would be the deadline for members of the public, including Commissioners, to submit Draft maps to this body. This deadline does not mean this process is over, Staff has to take it to City Council and they will be the body approving the final Plan. Should anyone, including Commissioners, wish to submit a Draft map after the March 14<sup>th</sup> deadline, the Draft map would not be reviewed by Commissioners. Staff is hoping to take the map(s) to City Council early June.

Ms. Taylor clarified for the May 2013 General Election, it seems like there is plenty of time; however, there are dates Staff must adhere to. Staff would want to have our Plans pre-cleared by the DOJ before the Filing for Candidates, January 2013. She explained that Staff must allow the DOJ 60 days; however, if there are questions or requests for additional data that would be an additional 60 days. Additionally, Staff requires 30 days to prepare the packet for submittal to the DOJ.

Chair Finke understood the rationale behind the schedule. He wants to be sure that the March 14<sup>th</sup> deadline for submittal of proposed public plans to the Districting Commission will be adequately publicized, for the benefit of the public.

Mr. Coronado responded Staff will post the schedule on the Districting Commission webpage, the City's home webpage, use the media – television and print. He reiterated the March 14<sup>th</sup> deadline means that Commissioners will not be able to review plans submitted after that date.

#### **MARCH 14<sup>TH</sup> DEADLINE FOR SUBMITTAL OF PROPOSED PLANS**

Chair Finke has a certain philosophical problem regarding Mr. Coronado's suggestion that the Commission's hands would be tied and that Commissioners could not do anything to the Plans after March 14<sup>th</sup>. Chair Finke could not agree with that.

Commissioners Graham and Karlsruher concurred with Chair Finke. Commissioner Karlsruher asked Staff for further explanation.

Mr. Coronado clarified Staff created this *proposed* schedule for Commissioners to review, change, add dates, etc. Staff was trying to provide some structure so that Commissioners can start making some map choices.

Vice-Chair Dominguez felt the deadline suggestion was a good idea. Commissioners have had a lot of input and participation from Commissioners and members of the public.

Chair Finke explained that according to this plan, Commissioners could not consider any modifications or plans after March 14<sup>th</sup>. He did not agree with that. Chair Finke suggested modifying the language to read "*March 14th Deadline for submittal of the public plans.*" or words to that affect.

Mr. Coronado clarified what he meant to say was Staff is trying to set a deadline for the submittal of Plans by the public and Commissioners. Of course Commissioners can still make decisions, as a body here at these meetings, to create more changes and/or adjust the maps. He stated Commissioners would have to adhere to the same guidelines as anyone outside City Hall.

Commissioner Graham understood Mr. Coronado to say that after March 14<sup>th</sup> Plans could come from outside the Commission and go directly to City Council, bypassing this Commission.

Mr. Coronado responded there will be a date when Commissioners will stop having meetings, Commissioners will vote on one or two Plans to send to City Council. After that last meeting, the process is not over; City Council will then review the suggested Plans, create a map of their own, or review other options, etc.

Ms. Taylor explained after this process is over with this Commission, it will have made its recommendation. The recommendation may be by majority vote or also have a minority report that will go to City Council. Staff will work with Legal to prepare a packet for City Council for review at a City Council meeting. There will still be an

opportunity for the public to make suggestions, changes, etc. Staff cannot control what the Council will do. The March 14<sup>th</sup> deadline is to provide a framework for concluding the work of this body, setting a timeline for Staff to work with members of the public, with time for Staff to prepare the data and analysis, etc.

Chair Finke stated it boils down to the Commission doing the best it can. Staff will prepare a presentation for City Council, Chair and Commissioners may attend the City Council meeting.

Chair Finke asked for a motion.

**MOTION:**

*Motion made by Vice-Chair Dominguez, seconded by Commissioner Thackston **THAT COMMISSIONERS ADOPT THE PROPOSED SCHEDULE THAT WE HAVE BEEN DISCUSSING PREPARED BY THE STAFF.***

Prior to the vote, Chair Finke asked Staff to insert the word "**public**" somewhere in the March 14, 2012 entry. He asked Mr. Coronado to suggest the proper place for the insertion.

<b>March 14, 2012</b>	<b>Deadline for submittal of proposed plans to the Districting Commission</b>
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Commissioner Silva explained the reason for the deadline is to halt the submittal of Plans from the public and from Commissioners. Commissioners can tweak existing Plans; however, submitting new Plans would be prohibited.

Mr. Coronado reiterated the intent of the March 14<sup>th</sup> deadline was for members of the public to stop submitting Plans to the Commission. Additionally, March 14<sup>th</sup> would be the deadline for Commissioners to stop meeting with Planning Staff and creating their own Plans. The deadline does not mean Commissioners stop tweaking/modifying existing Plans or creating new Plans here at Districting Commission meetings. Staff is trying to keep Commissioners on schedule so that the City can submit the packet information to the DOJ in a timely manner.

Chair Finke called for the question. No objections from Commissioners.

**MOTION:**

*Motion made by Vice-Chair Dominguez, seconded by Commissioner Thackston **AND UNANIMOUSLY CARRIED THAT COMMISSIONERS ADOPT THE PROPOSED SCHEDULE THAT WE HAVE BEEN DISCUSSING PREPARED BY THE STAFF.***



#### 4. Call for Public Comment

Mr. Coronado stated there are several members of the public who have signed up to speak. Following the last speaker on the list, if there are any individuals in the audience who wished to address the Commission please approach the podium.

##### SIGN UP SHEET

1. Mr. and Mrs. Crooks. Not present.
2. Mr. Al Soto noted the following:
  - a. District 8 was the most discussed District by all the Commissioners;
  - b. The PD-10 map received six positive comments, the most, from Commissioners. Rather than the Plan A, B, or C maps, Mr. Soto felt the PD-10 map would be the best choice.
  - c. The PD-5 map received two positive comments from Commissioners;
  - d. The PD-6 and PD-8 maps received one positive each from Commissioners;
  - e. The discussion regarding 'those people' and 'us', Mr. Soto believed that the more diversity in the group you have, the better group you have.
  - f. Mr. Soto stated if Commissioners get Districts 1 and 8 to come together, as the PD-10 map shows; that would be a very politically strong, financed District, as should the Central part of El Paso, in his opinion. If you look at the PD-10 map, instead of a sausage you might have a pyramid.

At this time, Chair Finke implemented a five minute time limit for each speaker.

*End of speakers who signed up to speak. Mr. Coronado asked if members in the audience would like to speak now, please come to the podium and state your name for the record.*

3. Mr. Jorge Artalejo commented on the following:
  - a. This body is subordinate to City Council;
  - b. The Central part of El Paso has, for too long, been overburdened with a political view that is not necessarily its own. The same holds true for those individuals who live to the north of that that they have been burdened with political opinions that are not necessarily their own and they don't reside equally amongst themselves, one to one.
  - c. Eastside Civic Association;
  - d. The Department of Justice is just going to okay the Plan because it's been okayed in the past.
4. Mr. Richard Teschner congratulated Mr. Soto (first speaker) and read his comment into the record "the more diversity in the group you have; the better the group you have." Mr. Teschner supports the PD-5 map because he created it. The PD-5 Plan takes into account communities of interest, especially El Paso High School. The PD-5 Plan expands District 1 to the south and a little to the east to incorporate all the catchment zone of El Paso High School. Mr. Teschner stated he considers El Paso High School to be a major

community of interest just as he considers Bowie High School to be a community of interest.

5. Mr. Ray Mancera, representing LULAC, thanked Staff for assisting him in preparing the PD-10 Plan. Attending the meeting this evening with Mr. Mancera was a member of the Mexican American Bar Association. Mr. Mancera attended the Mexican American Bar Association meeting when the Association moved to join forces with LULAC to draft a Plan that would be, in their view, fair and just to the citizens of El Paso. Mr. Mancera waited to the very end to submit a Plan because he attended the public meetings and listened to what the public had to say. Additionally, Mr. Mancera visited the Neighborhood Associations and talked with them so that when he sat down with Planning Staff to create his map, he had many things in mind on how we felt it would be best to draft that map. He stated Commissioners have a very difficult task because you are limited by the mountains, river, another country, military post and, of course, another State. What you have before you is a Plan with the least amount of deviation, 1.1%. He wanted Commissioners to seriously consider the PD-10 map as the Plan that would be submitted to the City Council. Mr. Mancera reread the Resolution that mandates exactly how the guidelines and criteria for Commissioners to adhere to and what you should come back with. The one thing that keeps repeating in the Resolution is the Voting Rights Act and the pre-clearance. What happened probably in 2000 is that it got cleared, LULAC was not involved then, but they are involved this year. LULAC will be looking very closely at whatever Plan is submitted by this Commission, ultimately adopted by City Council and once it makes its way to the DOJ. He hoped they can work hand-in-hand, not only this Commission but also City Council, when we go hand-in-hand and we tell the DOJ please accept this Plan unlike what happened at the State level. He was very heavily involved in those Plans but they have left it now to the attorneys. Mr. Mancera did have a very lengthy conversation with the Election Administrator, Javier Chacon, regarding the over 3,000 people but the area is all industrial and the Airport. Mr. Chacon explained to him where the numbers are coming from, it was very interesting, so when Mr. Coronado points to an area all of that has already been worked out for us. Mr. Mancera was going to challenge Mr. Chacon but after it was all explained to him he felt more comfortable. In summary, LULAC will continue to work with the Commission like all business people, we can always work with the Commission, deviate here and there, but they tried their best and he thinks they did a very good job with the 1.1%. As far as the DOJ and other entities, that is the number that they will be looking at. He asked Commissioners to seriously consider the Mexican American Bar Association and LULAC map as one of the maps that Commissioners work as a basis from.
6. Mr. Soto stated he had updated his count, eight positive comments for the PD-10 map. He thanked Mr. Teschner for his comment; however, the PD-5 map was his second choice.
7. Mr. George Ybarra, creator of the PD-6 and PD-7 maps, wanted to talk about the PD-7 map. The PD-7 map shows a 2.0% deviation but it is really the compilation. He

understands what Commissioners have been talking about, looking at some of the other Plans and bringing in the best of those Plans. He has spoken with some of the other Commissioners regarding their concerns; he got responses from a few Commissioners, that's okay. Mr. Ybarra was really advocated the PD-7 map at this point; it is a compilation of some of the previously submitted maps.

Chair Finke asked if there were any other members of the audience who wished to speak. There was no response.

## **5. Adjournment**

### ***MOTION:***

*Motion made by Commissioner Jorgensen, seconded by Vice-Chair Dominguez and UNANIMOUSLY CARRIED TO ADJOURN THE MEETING AT 7:54 P.M.*